Application No.: 10/764,478

REMARKS

Claims 1-16 are now pending in this application. By this response to the non-final Office Action dated October 5, 2006, claims 1-4, 6, 7, 11, 12, and 15 are amended. Care has been taken to avoid the introduction of new matter. Claims 5-9 and 11 have been indicated as allowable if rewritten to overcome any rejections under 35 U.S.C. § 112, ¶ 2, and if further written in independent form. The Office Action does not specifically address the limitations recited in claim 16. Favorable reconsideration of the application in light of the following comments is respectfully solicited.

Rejections Under 35 U.S.C. § 112, ¶ 2

In section 1 of the Office Action, claims 1-16 were rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite. Claim 1 has been amended so as to more clearly and particularly recite the claimed matter. With respect to the use of "its" in claims 10 and 11, Applicants respectfully traverse, as it is clear by claim 10 that the plate suction section is the supported member acted upon by "its weight." With respect to claim 11, the "center of pivot" refers to the center of pivot recited in its parent claim 10. The remaining rejections have been addressed by amendments to their respective claims.

Rejections Under 35 U.S.C. § 102(b)

In section 2 of the Office Action, claims 1-4 and 12-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,785,309 (hereinafter "Halup"). In section 3 of the Office Action, claims 1-4, 10, and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,759,679 (hereinafter "Muller"). Applicants respectfully traverse.

The plate supplying apparatus of the present invention is capable of setting, in various manners, a degree of change of a pivot angle of the plate suction section and the support section with respect to movement of the support section in the plate transport direction. Therefore, for example, based on a size, thickness, and stiffness of a plate, or on a remaining amount of plates stored in the storage section, transporting a plate from a storage section can be adjusted as appropriate.

In Muller's dispensing magazines 12, a film sheet stack is stored. An edge portion of a film sheet in the magazines 12 is sucked by a sucker 17 (*see* Fig. 3). Next, a lever 34 supporting the sucker 17 is rotated 90 degrees by a motor 30 around an axle 33 (*see* Figs. 4 and 5). With this rotation, a film sheet 13a is sucked by the sucker 17 is separated from the stack 13. Next, with rotation of a cable train 20, which is driven by a motor 21, the lever 34 is elevated along a guide rod 19. The elevation of the lever 34 stops when a front edge of the film sheet 13a, which is sucked by the sucker 17, reaches a roller pair 16.

Claim 1 recites "controlling the rotation drive mechanism so as to allow the plate suction section and the support section *to pivot*, in accordance with a predetermined rotation drive pattern table, at a pivot angle *in association with a* linear motion *position* of the support section *in the plate transport direction.*" However, in Muller the lever 34 is elevated *after* the completion of the rotation operation. In other words, Muller does not move the plates toward a predetermined transport direction one by one while reversing a face of each plate. Therefore, Muller does not set the rotation angle of the lever 34 and the sucker 17 in accordance with a position of the lever 34 in the vertical direction. Further, Muller's device does not use a "rotation drive pattern table," as recited in claim 1, so as to define the rotation angle of the lever 34 and the sucker 34 in response to the motion position of the lever in the vertical direction.

Therefore, the Muller device does not teach adjusting the path for transporting the film sheet, as is required by claim 1. As Muller does not teach each and every recited limitation, it does not anticipate claim 1, or its dependent claims 2-16.

Halup similarly presents a structure in which motion of a plate suction section and a support section toward the transport direction starts *after* the completion of their rotation operation. That is, the rotation operation and the motion toward the transport direction are not performed concurrently. Thus, for essentially the same reasons discussed for Muller, Halup does not teach "controlling the rotation drive mechanism so as to allow the plate suction section and the support section to pivot, in accordance with a predetermined rotation drive pattern table, at a pivot angle in association with a linear motion position of the support section in the plate transport direction," as recited in claim 1. As Halup does not teach each and every recited limitation, it does not anticipate claim 1, or its dependent claims 2-16

Rejections Under 35 U.S.C. § 103(a)

In section 4 of the Office Action, claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Halup in view of U.S. Patent No. 6,675,712 (hereinafter Merincic). Applicants respectfully traverse.

As discussed above with respect to the rejections under 35 U.S.C. § 102(b), Halup does not teach or suggest "controlling the rotation drive mechanism so as to allow the plate suction section and the support section to pivot, in accordance with a predetermined rotation drive pattern table, at a pivot angle in association with a linear motion position of the support section in the plate transport direction." The further teachings of Merincic do not cure this shortcoming. Without the teaching or suggestion of all of the elements recited by claim 15, the cited references cannot sustain a *prima facie* case of obviousness against claim 15.

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For the above reasons, Applicants believe that the application is in condition for allowance. Favorable reconsideration is requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Stephen A. Becker
Registration No. 26,527

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 SAB:EMS
Facsimile: 202.756.8087
Date: January 5, 2007

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